IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

INVENTIO AG,)
Plaintiff,)
v.) C.A. No. 08-874 RGA
THYSSENKRUPP ELEVATOR AMERICAS CORPORATION, THYSSENKRUPP ELEVATOR CORPORATION AND THYSSENKRUPP ELEVATOR MANUFACTURING INCORPORATED,)))))
Defendants.)

INVENTIO AG AND SCHINDLER ELEVATOR CORPORATION'S RESPONSE TO THYSSENKRUPP'S FIFTH MOTION TO COMPEL

Pursuant to the Scheduling Order of September 28, 2012 (D.I. 187) and the Agreed Order Appointing Special Master (D.I. 122), defendants' motion is to be decided initially by Special Master C.J. Seitz. The responsive brief attached as Exhibit 1 was served upon Special Master Seitz and defendants on March 4, 2013.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Pierre R. Yanney STROOCK & STROOCK & LAVAN LLP 180 Maiden Lane New York, NY 10038 (212) 806-5858

/s/ Michael J. Flynn

Donald E. Reid (#1058) Michael J. Flynn (#5333) 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899-1347 (302) 658-9200 dreid@mnat.com mflynn@mnat.com

Attorneys for Plaintiff Inventio AG

March 6, 2013

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on March 6, 2013, upon the following in the manner indicated:

> James M. Lennon, Esq. WOMBLE, CARLYLE SANDRIDGE & RICE, PLLC 222 Delaware Avenue, Suite 1501 Wilmington, DE 19801 Email: jlennon@wcsr.com

David E. Schmit, Esq. FROST BROWN TODD LLC 2200 PNC Center 201 East 5th Street Cincinnati, OH 54202-4182 Email: dschmit@fbtlaw.com

> /s/Michael J. Flynn Michael J. Flynn (#5333)